G. R. S. IX-5]

Reep

Previous references.

1914-15
(S. F.)

File No. 42-14

Serial Nos. 1 to 13

Later references.

S.F. 108-37 (1-9)

GENERAL AND REVENUE SECRETARIAT.

(Pl 51/E1)

Serial Nos. 1 to 13

Part B for November 1916.

SUBJECT.

Draft rule under Section 2 of the Coinage Regulation for cutting light weight and counterfeit coins –

Sl 12. FM order :-

State that for all cut coins presented by the State Huzur Treasury officer at the Cantonment Residents' Treasury in accordance therewith, the latter will pay one rupee per tola weight under 588 C. A. C.

W D 88—GPB—50,000—24-7-16

Mr. Ramasamier raised
6-2-1917.

G.R.S. 11] 1914-15

GENERAL AND REVENUE SECRETARIAT.

Q.7

NOTES.

File No. 42-14

FILE HEADING.

The Mysore Bank being permitted to cut or break diminished, defaced and counterfeit Silver Coin

From The Manager, the Bank of Mysore Ltd.

No. G. 1/171. Dated 9. 9. 1914. Received 11. 9. 1914

Diary No. 1042	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

Requests that to prevent the further circulation of Silver Coins in a defaced form or below the Standard or Counterfeit, the power to cut or break them under provisions of Sections 16 & 20 of Act III of 1906 (Indian Coinage) may be obtained on behalf of the Mysore Bank.

NOTES AND ORDERS.

British India Act III of 1906; & Regulation VII of 1900: & Coinage Mysore are put up herewith.

Kind attention is invited to arts. 867-74 of the Mysore Treasury Manual; and the file of papers culminating in G.O. No.

NOTES—First Sheet.

GPB—35,000—15-6-12.

General and Revenue Secretariat.

S.F. File No. 42 of 1914.

Serial No.

R 2797/H 268 dy 25.9.1900.

3) Under the circumstance the Comptroller may perhaps be unofficially consulted in the first instance ~~before it appears~~ for his opinion.

Subd for orders
U.31 Govt
18/9/14

4) The Bank wants us to get permission for it to be empowered to act 1) light weight Coins under Sec^n 16 & 2) Counterfeit Coins under Sec^n 20 of the Coinage Act.

5) The Govt of India or the Local Govts can alone empower anyone to act under these Sections and ~~as~~ it is not clear why the Bank should not itself address the Govt of India for being so empowered. The reasons for the Mysore Govt being asked to apply for such power on behalf of the Bank is not clear.

6) It may be noticed that under article 576(a) the power under both Sections is given only to certain Govt officers & the Presidency Banks while other Banks & Commercial houses are empowered only under Sec^n 20. It is doubtful

NOTE—Contn. sheet.

GPB—10,000—13-6-14

General and Revenue Secretariat. | S. of I. File No. 42 of 1914.

Serial No. 324

if the Govt of India will agree to give powers to this Bank under article 16 and if it would be advisable to address the Govt of India for power under this section until we are assured that there is at least a reasonable probability of the request being complied with.

Draft to the Residency is however put up for approval of the Orders issued.

22/12

Please trace & put up the orders under which our Dist & Taluk Treasuries enjoy these powers.

26/9/14

Submitted with the file of papers connected with G.O. no 2797 dy 25.9.1900 re cutting light-weight Coins & G.O. no 1415 dy 15/6/1914 re Counterfeit Coin.

12/10/14

Collection of papers Flagged R. already put up Contains the orders under which our Treasuries Continue to exercise the power which they were enjoying under the C. A. C. prior to the Rendition. From the correspondence with the Accts General it will be seen that

NOTE—Contn. sheet.

GPB—10,000—13.6.14

G. R. S. 12]

General and Revenue Secretariat. | S.R. File No. 42 of 1914-15

Serial No.

These papers refer both to light weight & counterfeit coins — Rs. 44/10/11

33 (Rs.)

A/c B.R.

(1) Put up A.G.M.'s letter referred to please. I doubt if the A.G. was competent to issue such an order. M. 14/10

(11) Seen & placed on file. Please write to the Bank enquiring what other Banks of similar status has powers under sec 16 & whether it would not do if powers under sec 20 only is applied for on behalf of the Bank. M. 15/10

(12) Draft Subd 14.3.1 19/10. Draft Re

(13) Issue draft Re 19.10.14

2 To the Manager, Bank of Bengal
H 1853 & 27-10-14
Enquires what other Banks of similar Status have powers under Section 16 of Act III of 1906 & whether it would not do if powers under section 20 only

NOTE—Contn. sheet.

GPB—10,000—13-6-14

G. R. S. 12]

General and Revenue Secretariat. G.2 File No. 42 of 1914.

Serial No.	
	are applied for on behalf of the Bank
3	From the Manager, Bank of Mysore No G/L 2 30-10-1914 Requests that as the Bank are not at present undertaking Govt Treasury work it would suffice if powers under Section 20 only were applied for & Secretary Draft to the Residency submd.
	Put up with draft 17/11
	Fair draft submd.
	Dewan 17/11
	Dewan 17/11
	Dewan
2652 17-11-14	Draft approved by Dewan 19-11-14
	Issue tomorrow 19.11.14
4	To A Resident Pol 472 J 20-11-1914 Requests him to obtain for the Bank of Mysore permission

NOTE—Contn. sheet.

GPB—10,000—13-6-14

G. R. S. 12]

General and Revenue Secretariat. | Dy File No. 42 of 1914.

Serial No.

permission to cut or break counterfeit silver coins under section 20 of the Coinage Act as in the usual course of business the Bank receives large quantities of coin tendered by the public.

5 From the First Asstt Resident
No 1066 dt 11-2-15 (Vol 1584)

Replies that as the Indian Coinage Act is not in force in Bhopawar the necessary authority for cutting counterfeit coins by the Bank of Bhopawar cannot be given under section 20 of the Act & that the Govt of Indore however suggest that the Darbar may issue rules on their own authority on the lines of the rules issued by the Bharatpur Darbar in the matter.

Submd.

24 Copy of the rules issued by the Bharatpur Durbar is enclosed. May this be transferred to Branch III for taking further suitful action in the matter.

NOTE—Contn. sheet.

24/2

GPB—25,000—2-11-14

g Mins 400-14

3176

Serial No.

Subd. 29

MR 29/4/15 Regulation 7 of 1900 does not authorise Government to frame any Rules, and so no rules can be framed under that Regulation.

Eg 29/4

28

Bor II) In what case How is the Mysore Bank to be

Subd invested with the power it wants?

Lett 29/4 Bor III)

Lett 5/5

Eg 2/5

Subd. 29 Executive orders cannot be of much use

MR 3/5/15 unless the Regulation is amended, Govt cannot give any powers to the Bank as desired by the Manager. ~~In cases where the parties are willing~~ this case may be met, or Rs only when the parties are willing that the Bank may be authorised under the Executive order to cash certain cases.

Eg 11/5

Bor II)

MR Subd. 30

Lett MR 12/5 under the circumstances Bor III will have to be asked to amend the Regulation 7 of 1900 to provide for such power being sanctioned by Govt ~~to Banks~~

Eg 13/5

Resent)

NOTE—Contn. sheet.

GPB—63,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

97 File No. 42 of 1914

Serial No.	
	The whole thing may be dealt with comprehensively. Under the present practice if a man presents a counterfeit coin at a treasury the T.O. cuts it. Under what law or order does he do so? If there are any rules, similar rules may be framed in favour of the Bank
	M 17/5
31	The power of cutting Coins is Exercised by Toy officers under the C.A.C. vide paras 7 & 10 above (& Resn) he 20/5
	But the C.A.C. is no law. If one of our T.O's cuts a rupee coin, the rupee can sue the T.O. in a Court & what will be the T.O's defence? The C.A.C will not avail in that case. In British India it is the Coinage act which protects the T.O. In Mysore, what?
33	It seems to me that in Mysore we must have an amendment of ~~(under Coinage)~~ Regulation VII of 1900 under which T.O's can be empowered to cut coin & such other persons also (like the Manager Mysore Bank) as the Govt may select. The Govt of Mysore will take powers to frame

1805 May await Mr Shamanna's return Mon 17/5/15

1840

NOTE—Contn. sheet.

GPB—25,000—22-3-15

3176

F. R. S. 12]

General and Revenue Secretariat.

97 File No. 42 of 1914

Serial No.

Rules under Sections 16, & 20, of the Indian Coinage Act (III of 1906)

34 Art 867 Mysore Treasury manual says that the rules in chap 29 of the C.T.C. applies matters mutandis to Mysore. Under Art 576 (a) & (b) C.T.C. It is stated that the Governor General in Council has authorised certain persons to cut & break coins. But this cannot be legal authority for our Treasury offices.

35 I would therefore suggest that a small amendment of the regulation be put through & then rules be framed empowering the Comptr, the Dy Commrs, Dist & Taluk T.O's, the Manager Mysore Bank & such other person & the Govt may select to cut & break coins.

W 2/5

36 (Hon member & Dewan) by

Rd on 25/5/15

36 The Indian Coinage Act of 1906 should have been put up.

37 Under Sec 2 of Regn VII of 1900 all laws and rules of British India are applicable to Coins in Mysore. Is it not sufficient to allow the Mysore Govt to exercise all the powers of the Govt of India under the Indian Coinage Act ibid.

by 2/7

For (III)

1/7/15

NOTE—Contn. sheet.

GPB—25,000—22-3-15

G. R. S. 12]

General and Revenue Secretariat.

97 File No. 42 of 1914.

Serial No.

20

The question is whether Section 2 is not wide enough to allow the Mysore Government to exercise all the powers of the Government of India, under the Indian Coinage Act. The Residency letter seems to imply that the Mysore Government have power to frame rules on their own authority. But it is not clear whether such power is intended to be exercised under the Coinage Regulation VII of 1900. Before the above Regulation was passed, the Indian Coinage Act XXIII of 1870 had been extended to Mysore by notification of the Government of India Foreign Dept. No. 486 dated 22.11.1870 under this Act, certain rules can be framed in regard to the within the scope mentioned therein. By the ordinary and well recognised rule of interpretation mentioned in the General Clauses Act/Regulation, where any enactment of the Governor General in Council of India in Council is expressed to be applied or extended to Mutatis Mutandis to Mysore or a part thereof, this unless a different intention appears, the reference to Govt of India or the Governor General of India in Council shall be deemed to be a reference to the Government of Mysore. Perhaps acting on this principle, Govt of Mysore may have framed rules in regard to this ~~any~~ Coinage, and those rules would have force in Mysore.

NOTE—Contn. sheet.

GPB—25,000—30-4-15

G. R. S. 12]

General and Revenue Secretariat. File No. 42 of 1914

Serial No.

no modification of that law was made in 1900. But under the Instrument of Transfer, it was arranged that the coins of the Government of India shall be a legal tender in the said Territories in the cases in which payment made in such coins would, under the law for the time being in force, be a legal tender in British India and all laws and rules for the time being applicable to coins current in British India shall apply to coins current in the said territories." (Article 13).

31 Legislative action was not taken on this Article till 1900, when the omission was noted and the Regulation was passed to bring the law into conformity with the Instrument of Transfer. The statement of Objects and Reasons annexed to the Regulation clearly explains that the Regulation was intended "to provide for the automatic application to Mysore of the provisions of British Indian Coinage laws."

32 From the wording of the Regulation, it seems clear that the power to frame rules is vested in British Govt, and not only the laws but also the rules framed by British Govt will proprio vigore apply to Mysore. Otherwise the use of the express in "rules" would be superfluous. In fact the very words of the Instrument

NOTE—Contn. sheet.

GPB—25,000—30-4-15

J Mis 400-14

13

3176

[G. R. S. 12]

General and Revenue Secretariat. G. 7 File No. 42 of 1914.

Serial No.

have been incorporated in the Regulation. The principle of strict construction is said to be applicable to enactments which delegate subordinate legislative powers. (Maxwell's Interpretation of Statutes p. 475) If the word "rules" had not been used in the Section, perhaps it may be contended that the power to frame rules is omitted in Government.

41 Submitted for orders

23/7

Hon'ble Member)

42 I think that Mutatis Mutandis should be held to have been inserted in our Regulation. Without it, we cannot at all apply the ~~Sale~~ Act & Rules of British India here. We may adopt the Rules of British India en bloc & apply them here.

43 Please ~~take~~ suggest action in this view.

28/7/15

Hon'ble

By III) 28/7/15

NOTE—Contn. sheet.

Lucas 30/7

CPB—25,000—22-3-15

J Dis 400-14

3176

7. R. S. 12]

14

General and Revenue Secretariat. | G.F. File No. 42 of 1914-15

Serial No.

Subd.

2/8/15 44 Please put up the British Indian Rules noted in subject.

Es 2/8/15

45

The British Indian Rules were put up. The Asst. secretary ordered that a draft be put up on the lines of the Br. Indian Rules.

Flag K
vide page 204 of Part-I of the Gazette of India of 9/3/1907.

1/9/15

46

Draft put up as directed. If the rules are approved the Residency will have to be requested to give instructions to the Residents desiring to give effect to these rules in case of cut or broken coins sent to them as if the rules had been issued by them under the Indian coinage Act, 1906.

2/9/15

47

This may be Sent to Branch II for considering if the proposed Notification will be Suitable.

Es 12/10

Subd. 48 The Notification put up seems to be suitable & may be accepted

13/10

Re 13/10

NOTE—Contn. sheet.

GPB—25,000—30-4-15

h10 Rea 7

Please enquire of Mr Swanwick Secy what is left in Nov the 1000 Branch? If what is wrong please send draft to Secy?

EB
8/11

To Subs.

If approved draft will be

1042

G. R. S. 12]

General and Revenue Secretariat.

Pol. File No. 42 of 1916-15

Serial No.

1) I have prepared a revised notification
2) The Residency may be asked whether the Hon'ble the Resident's Try will have any objection to receive cut coins from the State Hazur Treasury under Para 3 of the note. On their agreeing to receive such coins the note may issue. For convenience of dealing with the case a draft to Residency may be also put up. It should be clearly borne in mind that the Notn. shd issue only after reply is recd from the Residency.

Ist 20/12 Secy 21/12

14/12

~~Subd. The file belongs to Br. II. May that Branch~~

Subd.
21/12/15

Draft Subd
5/1/16 Put up fdy draft to Secy

12.1.16

Tidy Draft Subd.
12/1

12-1-16

1016

NOTE—Contn. sheet.

GPB—20,000—30-6-15.

(Secy)

G. R. S. 12]

3176

General and Revenue Secretariat. | 47 File No. 42 of 1914

Serial No.	
53	The draft letter to the Residency is approved.
54	Where worn out Coin is withdrawn, in our treasuries, is the loss due on that account (i.e. by accepting it at its Nominal value) borne by the British Govt? Where is the authority or understanding on this head? 21/1/16 Tour ltr 22.1.16.
6	To The First Asstt Resident. Pol 738 S 26.1.16. Suppose that the Durbar propose issuing a notification as suggested in sl 5. & enquires if there is any objection to the Resident's Treasury receiving such coins.
7	From The First Asstt Resident. No 1373 S 25-2-1916. Forwards copy of letter Res 30 S 22-2-1916 from the Asstt General Quetta on the matter for favour of necessary action. 23158

NOTE—Contn. sheet.

GPB—70,000—17-12-15

Jpri 400-14
" 1042+2257

G. R. S. 12]

General and Revenue Secretariat. | G 7 File No. 42 of 1914

Serial No. 53

The Asstt Jurnal has no objection to the Residents Treasury receiving such defaced coins provided the rules are in consonance with the provisions in the Act Code. The file may now be sent to Branch III for the issue of suitable notifn.

Sent. Ini 26/2 (Br III) 26/2

Ltr issd

Subd.

56. ~~The Rules Notification~~ Rules under enactments have to be issued by the Administrative Branches concerned. Therefore this notification has to be issued in Br. II.

57. The First Members query at paras 4 has ~~not been~~ also to be answered by Br. II.

29/2/16 VR 58 This Branch does not generally deal with such questions but will consider the legal aspect if any referred to.

29/2 Br II)

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat.

97 File No. 42 of 1914

Serial No.

face Value under article 5 & 2 C Ae while the Residency will give us only 1 rupee per tola weight — if they are cut & presented to the Resident's Treasury — and the full Value if they are returned uncut under article 5 & 2 Cae — as it is ~~not~~ likely that the Treasuries may cut such Coins as we may wish to the Residency & assume ourselves that 1 rupee per tola weight refers only to Coins that have lost more than 6 1/4 % in weight while ~~full~~ face Value will be paid for Coins which have lost less weight than this — In the Case of Coins that have lost more than 6 1/4 % in weight there is no ~~loss~~ harm in accepting a rupee for one tola's weight as we will be having at the same rate to the tenders of Coin under article 5 & 2 A.

A

Resd)

The
1/3/16

(2) Yes, put up a draft as at A

(3-2) If they do not agree to receive cut coins short weight by upto 6 1/4 % at full value, we shall have to ask our T.O's

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | G 7 File No. 42 of 1914.

Serial No.

Not to cut such coins but send them separately — Then we can get full value for them by presenting at the Residents Toy,

Draft sealed.

64 Put up hdy draft. 18/3.

FC Secy)

65

8. To the F. A. Residents
No Pol 976 J 25-3-16.

Enquires if the payment at the rate of one rupee per tola on the total weight of defaced coins cut would apply to coins that have lost less than 6¼ % in weight.

From the First Assistant to the Hon'ble the Residents in Mysore.
No 2800 dy 19-4-1916.

Forwards copy of Madras Accountant-General's letter No: Res: 30-762 dy 11-4-1916 & its Enclosure to the effect that the Mysore State has to bear the loss due to wear and tear of the light weight Coins cut in the Mysore State.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

2627

22

G. R. S. 12]

General and Revenue Secretariat.

GZ File No. 42 of 1914.

Serial No.

1 I agree as at A. A draft may be put up. M 7/5

2 Draft submitted for approval. 4/10/16 MWH 7/5 F(Secy) Hg 29-6-16

Typ draft sent 5/6/16

Typ draft sent 6/6/16

3 On recommendation I think that we may agree to the condition of Act 585 C&E as explained by A.G. Madras. The loss if any will be very little and loss in respect of coins short weight but 2 + 6¼ per cent will be counterbalanced partly or wholly by gain in respect of coins which have lost between 6¼ + 25 per cent. Pl put up draft note re in this view. M 12/7

NW

15a Yes M 15/7

4) There is a rectification in the matter, in the file which will be submitted to Dewan for approval. The Comp^r & the H.Tty Officer may be informed in a separate letter that for cut coins presented at the Residents' Try one rupee per tola weight will be received (Secy).

Yes, agn the note. M 15/7

Hg. 13/7.

NOTE—Contn. sheet.

342 17.7.16

Dewan)

GPB —75,000—17-12-15

(24

No. C. 668

(For disposal by Circulation) 6/9/1916.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

796 Introduction of rules about the breaking and cutting of light weight and counterfeit coins.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Nanjappa

5th Septr., 1916 *Secretary to Government.*

Extraordinary Member of Council.

213/10.9 **First Member of Council.** 9/11.9 agreed to

2160. 6.9.16 **Second Member of Council.** 11/9/16

WD 2012—GPB—1 000—9-2-16

2

2827

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

83 Draft rules under Section 2 of the Coinage Regulation for cutting light weight and counterfeit coins.

321

Order.

84

27/9/16

85 Secretary
28-9-16

86

282/ 9

G. R. S. 12]

General and Revenue Secretariat. | G7 File No. 42 of 1916.

Serial No.	
	Immediately this issue please return this file to me 20/10
10	To The Comptroller Mysore Gazette H. 2185 Dt. 24-10-16 C & T 42-14 Declaration to enforce the above rules in chapter XXIX of the Civil Account Code, applicable to Coin Currents in British India
	87 Two drafts submitted with reference to para 75 Rules 1/11 31/10/16
	88 Very drafts Subd. 8/11/16 Fwd 6-11-16
	89 8/11 Issue
11	To The manager Bank of Mysore Ltd H 2675 Dt. 28.11.16 With ref to Sec 3 Send a notification re the penalties given to them, to cut Counterfeit Gold Coins
12	To The Comptroller To the Press in charge of State St. Drums H 2673-6 Dt. 28.11.16 Send a notification re the cutting & breaking of high weight & Counterfeit Silver Coin in Mysore & State that for cut Coins, produced the Hon'ble the Resident Treasury the holder will pay at a certain rate.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

I. R. S. 12]

4

General and Revenue Secretariat.	File No.	of 191
Serial No.		

ALL COMMUNICATIONS TO BE ADDRESSED TO THE MANAGER.
TELEGRAPHIC ADDRESS: "MYSOREBANK."
CODE: A. B. C. 5TH EDITION.

The Bank of Mysore, Ltd.,

Bangalore, 9th Sept. 1914

No. G 1171.

DIARY NO. 1042

1914-1915
SECTION: Bankg
FILE No. 42-14
SERIAL No. 1.

11/11/9 Secy Mysr 11-9

The Secretary to Government,
General & Revenue Departments,
Bangalore.

Sir,

I have the honor to state that in the course of the transactions of this Bank, silver coins issued under the authority of the Governor General in Council are likely to be tendered by the public either in a defaced form or below the standard weight, or counterfeit. To prevent the further circulation of such coin, I request you to be so good as to obtain for this Bank power to cut or break diminished, defaced and counterfeit silver coin under Sections 16 & 20 of Art. III of 1906.

I have the honor to be,

Sir,

Your most obedient servant,

Manager.

GPB—10,000—13-6-14

G. R. S. 26] 19/10

b

File No. 42-14
Serial No. 2.

Diary No. of letter replied to 1042

General and Revenue Secretariat
( )
the 191 .

Date of issue 27-10-14

Signed by M Shamanna

No. H 1853
27 October/14

To
The Manager.
The Bank of Mysore Ltd

Sir,

With reference to your letter no G-1/171 dt 9-9-1914 requesting that power to cut or break diminished, defaced and counterfeit Silver under Sections 16 & 20 of Act III of 1906 may be obtained in favour of the Bank of Mysore Ltd, I am directed to enquire what other Banks

over.

SUBJECT.

of similar status had powers under section Sec 16. & whether it would not do if powers under Sec 20 only were applied for on behalf of the Bank

Have etc.

Ke
19.10.14
For Secretary.

K.01
19/10/14.

List of enclosures

Copied by

Examined by

GPB—25,000—4-3-13

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

ALL COMMUNICATIONS TO BE ADDRESSED TO THE MANAGER.
TELEGRAPHIC ADDRESS: "MYSOREBANK."
CODE: A. B. C. 5TH EDITION.

Copied.

The Bank of Mysore, Ltd.,

Bangalore, 30th Oct. 1914

No. G. 1/214. 9.

DIARY No. 1650

I 31/10 per Guard. 9.

30/10/14 SECTION Bangalore 42-14.

The Financial Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Sir,

In reply to your letter No.Fl.1853/G.F.42-14-2 dated the 27th instant, as the Bank are not at present, undertaking Govt. treasury work, I have the honor to state that powers under Section 20 only may be applied for on behalf of this Bank.

I have the honor to be,

Sir,

Your most obedient servant,

Manager.

Fair draft

G. R. S. 26]

File No. 42

Serial No. 4

Diary No. of letter replied to 1650

PoC No. 472.

General and Revenue Secretariat

(Gl Finance

, the 191 .

To

The First Asstt Resident

Date of issue 20. 11. 1914.

Signed by Mr. J. S. Chakravarti Sir,

At the instance of the Mysore Bank I am directed to request you to obtain for it permission to cut or break counterfeit silver coins under Section 20 of the Coinage Act. (Act III of 1906)

It is understood that this power has been given to several numerous Banks and the Mysore Bank

(Vide annexures A & B at page 29 of CAE Vol I)

over.

SUBJECT.

II 11/2
copy to Dewan Adm
Rec'd 18/2
Pol No. 1584 dt 11-2-15
3176

No. 1066.

SECTION G.F.
42-14.

FROM

P. B. WARBURTON, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 11th February 1915.

SIR,

I am directed to invite a reference to Diwan Bahadur Chakravarti's letter No.472 Pol., dated the 20th November 1914, regarding the desire of the Mysore Bank to obtain permission to cut or break counterfeit silver coins.

2. In reply, I am to say that, as the Indian Coinage Act 1906 (III of 1906), is not in force in the Mysore State, the necessary authority cannot be given under section 20 of the Act. The Government of India, however, suggest that rules may be issued by the Durbar on their own authority modelled on the lines of the rules issued by the Bharatpur Durbar (copy enclosed) and amended with reference to the Indian Coinage Act of 1906 and the rules issued thereunder.

I have the honour to be,

Sir,

Your most obedient servant,

P B Warburton

First Assistant Resident.

R. O. 2—R. P. B.—1-1915—1,000.

Copy of Rules from 1 to 12 of rules regarding cutting or breaking of silver coins in the Bharatpur State.

x x x x

Cutting certain silver coins.

1. When any silver coin purporting to be coined and issued under the authority of the Government of India is tendered to any Officer authorised by the State Council to act under this Circular who has reason to believe it to have lost by reasonable wearing more than two per cent in weight, or to be counterfeit, or to have been reduced in weight otherwise than by reasonable wearing, or to be called in by any proclamation, he may by himself or another cut or break such coin and return the pieces to the person tendering it.

2. The undermentioned officers are authorised to cut or break silver coins :-

1. Member in charge of the Accounts Department.
2. Treasury Officer.
3. Sub-Treasury Officer.
4. District Magistrate.
5. Treasurer, Bharatpur.

Counterfeit or fraudulently reduced silver coin.

3. When any silver coin purporting to be coined and issued under the authority of the Government of India is tendered to any Officer authorised by rule 2 of this circular or by any order of Council and he has reason to believe it to be counterfeit, or to have been reduced in weight otherwise than by reasonable wearing he shall cut or break such coin and return the pieces to the person tendering the coin.

Silver coins called in by proclamation.

4. When any silver coin purporting to be coined and issued before 1st September 1835 under the authority of the Government of India, is tendered to any such Officer, he shall cut or break such coin and, at the option of the person tendering the coin, return to him the pieces, or retain them and give credit for them at the rate of one

rupee

rupee per tola (that is, 180 grains Troy weight).

5. When any rupee or half rupee purporting to be coined and issued under the authority of the Government of India on or after the 1st September 1835 is tendered to any such Officer who has reason to believe it to have lost by reasonable wearing more than 2 per cent. but not more than 25 per cent. in weight he shall immediately cut or break such rupee or half rupee and return it to the tenderer or at his option pay for it at the following rates :-

Rupee or half Rupee reduced by reasonable wearing.

1. Weighing not less than $\frac{15}{16}$ ths of full weight, at nominal value.

2. Weighing between $\frac{15}{16}$ ths and $\frac{7}{8}$ths of full weight, at 14 annas and 7 annas per rupee and half rupee. respectively.

3. Weighing between $\frac{7}{8}$ths and $\frac{13}{16}$ths of full weight, at 13 annas and 6½ annas per rupee and half rupee, respectively.

4. Weighing between $\frac{13}{16}$ ths and $\frac{3}{4}$ths of full weight at 12 annas and 6 annas per rupee and half rupee, respectively.

Where, however, the deficiency in weight amounts to more than 25 per cent. the tenderer will be held to have been so culpably careless that no concession will be made, and he will be left to bear the loss arising from the cutting of the coin.

6. A quarter rupee or an eighth of a rupee issued by the Government of India should when tendered to such an officer be accepted as legal tender for a fraction of a rupee even though it may have lost, by reasonable wearing more than 2 per cent. in weight, such a coin should not be withdrawn from circulation, unless by reason of the obliteration

Quarter or eighth of a rupee reduced by reasonable wearing.

obliteration of the device upon it, or for any other reason, it appears to be unfit for circulation, in which case it shall not be cut or broken but shall be dealt with under rule 10.

Defaced silver coin.

7. Silver coin issued by Government of India, which has been defaced otherwise than by Shroff marks, should not be cut or broken but should be returned to the tenderer.

Shroff marked silver coin.

8. Silver coin which has been defaced or diminished only by Shroff marks should, when tendered to such an Officer, be received at its full nominal value; it should not be cut or broken, but should be withdrawn from circulation and disposed of under rule 10.

Method of cutting and breaking.

9. In cutting or breaking any coin, Officer should avoid completely dividing it, as it is often convenient to identify the parts of a particular coin. Care should, however, be taken that the destruction is complete.

Cut, broken or withdrawn coins how to be disposed of by State Officers.

10. Silver coins received by State Officers under these rules and withdrawn from circulation shall whether or not it has been cut or broken under these rules, be sent at the first convenient opportunity to the Agra Treasury where it will be paid for at the rate of one rupee a tola on their total weight.

11. Uncut light weight rupees and half rupees found in remittances from Sub-Treasuries will be cut on receipt and accepted at their full nominal value when they have lost not more than 6¼ per cent. in weight and rejected when they have lost more than 25 per cent. in weight. When the loss in weight is more than 6¼ per cent. but not more than 25 per cent. they will be accepted at the rate of one rupee a tola on their total weight.

12. For testing rupees and half rupees weights of $\frac{15}{16}$ ths, $\frac{7}{8}$ths, $\frac{13}{16}$ths, $\frac{3}{4}$ths, $\frac{15}{32}$nds, $\frac{7}{16}$ths, $\frac{13}{32}$ nds and $\frac{3}{8}$ths, of a tola obtainable from the Calcutta Mint, will be supplied to the Treasury and Sub-Treasuries.

x x x x x

True Copy.

H. Abbey

Superintendent, Foreign & Political Deptt.

NS

(12

(G.R.S. 26) 24/1

No. Fair Draft

File No. 42-
Serial No. 6

Diary No. of letter replied to 3176

No. Fiscal 738

General and Revenue Secretariat
(G. 2)
19 .

To

The First Asstt Resident

Sir,

Date of issue 26-1-16

Signed by Mr. J.S. Chakravarti.

Adverting to correspondence ending with your letter No. 10-66-J-11-2-15 in the matter of the issue by the Darbar of rules relating to light weight silver & other uncurrent coins I am invited to state that the Darbar proposes issuing a notice as

over

SUBJECT.

24/1/16

suggested by you. As it is to be expressly mentioned therein that silver coins cut or otherwise dealt with under the Act are withdrawn from circulation should be sent to the Hon'ble the Resident's Treasury, Bangalore (I am directed to enquire if there is any objection to that Treasury receiving such Coins and if so an amendment being made to that effect may be made.

(or to the Bank of Madras Bangalore on behalf of that Treasury)

I have the

Secretary

12.1.16

21/1/16

20/1/16

List of enclosures,

Copied by

Examined by

GPB—20,000—26-9-10

II
25/2
Pol
MR

17

No. 1373
Pol 170/26.2.16

Mysore Resident's Office,

Bangalore, 25th February 1916

A copy of the foregoing letter is forwarded to the Government of His Highness the Maharaja of Mysore ~~of Mysore~~, with reference to Dewan Bahadur J.S.Chakravarti's letter No.738.Pol.,dated the 26th January 1916, for favour of necessary action.

P B Warburton

First Assistant Resident.

MR

No. 1374

A copy of the foregoing letter with a copy of the letter to which it is a reply, is forwarded to the Officer in charge of the Resident's Treasury, Bangalore (Through the Collector) for information.

DIARY No. 2257
10.5.16
SECTION GR
FILE No. 42-14
SERIAL No. 7

(sd) P. B. Warburton

First Assistant Resident.

18

Letter No.Res.-30./23158, dated the 22nd February 1916, from the Accountant General, Madras, to the First Assistant to the Resident in Mysore.

In reply to your letter No.987, dated 9th February 1916, stating that the Mysore Durbar propose to issue rules for the cutting and breaking in the Mysore State of British Indiam Silver coins unfit for circulation and enquiring whether there is any objection to the coins withdrawn from circulation under these rules being received at the Hon'ble the Resident's Treasury at Bangalore, I have the honour to state that this office has no objection to diminished and defaced coins cut and received in the Mysore State under rules framed in accordance with the rules of the Government of India (articles 582 to 584 of the Civil Account Code) being presented at the Resident's Treasury and paid for at the rate of one rupee a tola on their total weight under article 585 of the Civil Account Code. The Durbar may make an announcement to this effect in their rules and I will issue formal instructions to the Treasury Officer, Bangalore, in the matter as soon as the rules are promulgated and communicated to me.

2. From a perusal of the rules of the Bharatpur State on the model of which the rules of the Mysore Durbar are proposed to be framed, I gather that, with regard to counterfeit coins, the rule will provide that, when they are cut, the pieces should be returned to the tenderers.

3. Uncurrent silver coins other than those cut under the proposed rules and disposed of in the above matter, and uncurrent copper coin will, when remitted by the Mysore Durbar, continue to be accepted at the Resident's Treasury, Bangalore, under the general rules contained in Chapter 29 of the Civil Account Code.

No.

2

19

G. R. S. 26]

File No. 42

Serial No. 8.

Diary No. of letter replied to 2257

No. pol 976

General and Revenue Secretariat
(G. F.)
, *the* 191 .

To

The F. A. Resident

Date of issue 25.3.16.

Signed by Ellen J.S. Chakravarti.

Sir,

Adverting to correspondence ending with your memo No. 1373, dated the 25th February 1916, forwarding copy of letter No. Res 30/23158, dated the 22nd February 1916, from the Accountant General, Madras, I am directed to invite your kind attention to the Statement of the Accountant General therein, that he has no objection to diminished and defaced Coins

over.

SUBJECT.

Coins cut and received in the Mysore State, being presented at the Resident's Treasury and paid for at the rate of one rupee per tola on their total weight. I am to enquire whether this would apply to coins that have lost less than 6¼% in weight also. In the case of such coins, the Durbar have to pay face value at their treasuries and it would involve a loss if similar value is not obtained from the Resident's Treasury. The Durbar would therefore like to be assured that the long standing practice of giving them full value for coins which have not lost more than 6¼% in weight, even though they may be cut by the Durbar Treasuries, will continue as heretofore and that payment of a rupee for tola weight will apply only to coins which have lost ~~less~~ more than this weight.

I have the honor to be etc.

Financial Secretary.

List of enclosures,

Copied by

Examined by

GPB—25,000—8-8-11.

Order No. 2827

21

Letter No. Res. 30-762, dated the 11th April 1916, from the Accountant General, Madras, to the First Assistant Resident in Mysore.

In reply to your endorsement No. 2309 dated 31st March 1916, requesting me to furnish the information asked for by the Financial Secretary to the Government of Mysore in his letter No. 976 Political dated 25th March 1916, I have the honour to forward herewith a copy of Madras G.O. No. 88 Political, dated 19th February 1913 containing the correspondence regarding a similar question raised by the Travancore Durbar, which I trust will fully explain the situation. The Mysore State has to bear the loss due to wear and tear of the light weight coins cut in the Mysore State, and this loss appears to be one of the conditions of extending the concession mentioned in article 585 of the Civil Account Code.

Pol 2081 dt 22-4-16.

No. 2800

Mysore Resident's Office,
Bangalore, 19th April 1916.

A copy of the foregoing letter with its enclosure is forwarded to the Government of His Highness the Maharaja of Mysore for information, with reference to Dewan Bahadur J.S. Chakravarti's letter No. 976 Pol., dated the 25th March 1916.

J. S. G. Trotter

First Assistant Resident.

4,000—10-11-15.

OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS,

Fort St. George, the 11th *of* April 1916..

No.

ENCLOSURES :

Copy of G.O., No.88, Political, dated 19th February 1913.

****

GOVERNMENT of MADRAS.

P o l i t i c a l D e p a r t m e n t.

Read the following papers:--

I

G.O., No.18, Financial, dated 12th January 1909.

Abstract.--Extending to the Travancore Darbar which has expressed its willingness to adopt the rules in force in British India for the cutting and breaking of silver coins the concession referred to in articl 585 of the Civil Account Code of exchaning at the Resident's Treasury in Trivandrum light weight and other coins cut and received in the State; and requesting the Accountant-General to arrange for the supply to the Darbar, at its cost, of 36 sets of standard wieghts for testing silver coins.

G.O., No.373, Political, dated 10th August 1910.

Abstract.--Approving subject to certain amendments, the draft regulation of the Travancore Darbar for the cutting or breaking of diminished defaced or counterfeit British Indian silver coins.in Travancore.

G.O., No.335, Political dated 12th July 1911.

Abstract.--Stating with remarks that the Government have no objection to the issue by the Travancore Darbar of the draft notification for the cutting or breaking of diminished, defaced or counterfeit British Indian silver coins.

G.O., No.338, Political, dated 8th June 1912.

Abstract.--Recording letter from the Resident in Travancore and Cochin forwarding a copy of a notification issued by the Travancore Darbar for the cutting and breaking of silver coins in Travancore.

Letter from R.A.Graham, Esq., I.C.S., Resident in Travancore and Cochin.

To:--The Chief Secretary to Government.

Dated.--Trivandrum, the 20th November 1912.

No.--R.O.C.162.

In their Order No.18, Financial, dated 12th January 1909, Government extended to the Travancore Darbar the concession referred to in article 585 of the Civil Account Code of exchanging at the Resident's Treasury light weight and other coins cut and received in the State. A regulation on the subject was then passed after amendment in accordance with G.O., No.373, Political, dated 10th August 1910, and rules were framed, which, after some correspondence, were recorded in G.O., No.336, Political, dated 6th June 1912. A difference of opinion has now arisen between the Darbar and the Treasury Officer, who is supported by the Accountant-General as to whether, under the regulation and rules, the Darbar officials are bound to cut coins which have been diminished, but not beyond the limit of reasonable wear and tear, i.e., coins which have lost more than 2 per cent. but not more than 6¼ per cent, in the case of rupees and 12½ per cent. in the case of smaller coins. The Accountant-General is of opinion that they should and that the Darbar should be paid for all such coins at the rate of Re.1/- per tola of their actual weight; while the Darbar contends that they should not cut coins unless they have been diminished beyond the limit of reasonable wear and tear, and should be paid the full face value of those that are within that limit.

2. The regulation and the rules are susceptible of either interpretation. The terms of the concession as contained in G.O., No.18, Financial, dated 12th January 1909, would support the Accountant-General; but when submitting to Government the draft of the rules, Mr. Forbes, in paragraph 2 of his R.O.C.No.841, dated 13th May 1911, pointed out that the words "at Government cost" had been omitted from rule 3, because for coins of the description in question the face value would be paid; and no exception was taken to this. The question is whether the British Government or the Travancore Darbar should bear the loss occasioned by ordinary wear and since there appears to be some doubt as to the answer I have the honour to submit the question to Government.

III.

ENDORSEMENT No.7566-1, Financial, dated 15th January 1913.

Referred to the Accountant-General for favour of remarks.

(By Order.)

(Sd) C.Reilly,

Registrar, Chief Secretariat.

To the Accountant-General.

IV.

Letter--from J.F.Graham, Esq., M.A., I.C.S., Officiating Accountant General, Madras.

To--the Chief Secretary to Government.

Dated--the 6th February 1913.

No.--Res.30-3-20152.

In returning herewith letter No.R.O.C.162, dated 20th November 1912 received with Financial Endorsement No.7566-1, dated 15th January 1913, I have the honour to state that according to article 585 of the Civil Account Code, light weight coins which have lost more than 2 per cent. but not more than 6¼ per cent, in the case of rupees and 12½ per cent. in the case of smaller coins should be dealt with in the same way as other light weight coins, i.e., on being remitted to the Resident's Treasury at Trivandrum, they will be paid for at the rate of one rupees per tola on their total weight. The rules do not allow of their acceptance by the Resident's Treasury at their nominal value, although the Treasuries of the Travancore State like British Government Treasuries should cut them and receive them at their nominal value under rule 3 of the notification recorded in G.O., No.338, Political, dated 8th June 1912. As was observed in paragraph 4 of G.O., No.373, Political, dated 10th August 1910, there should be no difference in the treatment of legal tender British coins as between British India and the Native state. The Travancore Darbar should therefore bear the loss in respect of the kinds of coins referred to above, but such a loss is presumably an inevitable condition for extending the concession mentioned in article 585, Civil Account Code.

Order--No.88, Political, dated 19th February 1913.

As remarked by Government in G.O., No.373, Political dated 10th

10th August 1910, there should be no difference in the treatment of legal tender British coins as between British India and the Native State. Accordingly, light weight coins which have lost more than 2 per cent. but not more than 6¼ per cent. in the case of rupees and 12½ per cent in the case of smaller coins presented at Travancore State treasuries should be cut and received at their nominal value, as is done at British Government Treasuries. But these coins, on being remitted to the Resident's Treasury at Trivandrum will be paid for only at the rate of one rupee per tola on their total weight.

****

(True Copy).

S. Appadurai Chetty.

Superintendent,

Correspondence Section.

E.P.

13

C. 9 : 4-2-14

Ser : 10

Tr. 242/10

Translated 2/10

30/10-16.

7/6

VII 9 1900

Notification.

No 46 2188

C 742-14

24-10-16

Under Section 2 of the Coinage Regulation, 1900, the Government of His Highness the Maharaja are -- pleased to declare that the following rules in Chapter XXIX of the Civil Account Code applicable to coins current in British India shall be in force in Mysore in the way indicated against each rule:-

Rule 575 (a) & (b) Civil Account Code.

"(a) Section 16 of the Act III of 1906 provides that when any silver coin which has been coined and issued under the authority of the Governor-General in Council is tendered to any person authorised by the Governor-General in Council or by the Local Government to act under that section and such person has reason to believe that the coin -

(i) has been diminished in weight so as to be more than such percentage below standard weight as may be prescribed as the limit of reasonable wear, or

(ii) has been defaced,

he shall, by himself or another, cut or break the coin.

(b) Section 20 of Act III of 1906 similarly provides that when any silver coin purporting to be coined or issued under the authority of the Governor-General in Council is tendered to any person authorised by the Governor-General in Council or by Local Government to act under that section and such person has reason to believe that the coin is counterfeit, he shall, by himself or another, cut or break the coin.

Note.- A loss of 6¼ % below standard weight in the case of the rupee and of 12½ % in the case of half, quarter and eighth-rupee has been prescribed by the Government of India as the limit of reasonable wear. "

In the application of this rule to Mysore the authority to break or cut coin should be given by the Government of His Highness the Maharaja.

27 124

"Rule 576 (a) Civil Account Code.

The undermentioned persons have been authorised by the Governor-General in Council to cut or break diminished, defaced and counterfeit silver coin under section 16 & 20 of the Act.

List follows. "

In the application of this rule, the following persons should be regarded as having been authorised by the Government of His Highness the Maharaja:-

(a) The Comptroller

(b) Officers in charge of the Huzur Treasury, District Treasuries or Taluk Treasuries

" Rule 576 (b) & (c) Civil Account Code:

(b) The undermentioned persons have been authorised by the Governor-General in Council to cut or break counterfeit silver coin only under section 20 of the Act.

List follows.

(c) The undermentioned persons have been authorised by Local Governments to cut or break counterfeit coins under section 20 of the Act.

List follows. "

In the application of this rule, the following persons should be regarded as having been authorised by the Government of His Highness the Maharaja :-

The Chief Officer of the Mysore Bank or any of its branches.

2. The other rules relating to coin given in Chapter XXIX of the Civil Account Code are applicable Mutatis Mutandis to the Mysore State. Any change in these rules made by the Government of India will be regarded as introduced automatically in to Mysore.

3. Silver coin received by Government Officers under these rules and withdrawn from circulation -- shall, whether or not it has been cut or broken under these rules, be sent by the first convenient opportunity to the Assistant Comptroller in charge State Huzur Treasury who will send them at the first convenient opportunity to the Hon'ble the Resident's Treasury at Bangalore for remittance to the mint.

(25

G. R. S. 26]

SUBJECT Re The permission for the Bank of Mysore to cut counterfeit Silver Coin.

Tidy draft.

Diary No. of letter replied to

Section
GJ File No. 42-14
Serial No. 11

General and Revenue Secretariat
(Gen Jn)
, the *191* .

No. H2675
28-11-16

Date of issue 28-11-16

Signed by W S Wanderwin

To The Manager,
The Bank of Mysore Ltd.
Bangalore.

Sir,

With reference to correspondence ending with your letter No G 1/214 dt 30.10.14 in the matter of empowering the bank to cut counterfeit Silver coins, I am directed to forward herewith a copy of Government notification No. H. 2185/GJ 42-14

over.

GW/25/11

dated 24/10/1916 issued on the subject from which you will see that you have been given the power required by you.

I have &c.

8 - NOV. 1916

H. Secy.

GHS
3/11/16

List of enclosures.

Copied by

Examined by

GP5—20.000—14-2-14

2

914

G.R.S. 26]

SUBJECT Sends a notification re the cutting and breaking of lightweight and counterfeit silver coins in Mysore, and states that for cut coins presented at the Hon'ble the Resident's Treasury the latter will pay at a certain rate.

Diary No. of letter replied to

Tidy draft

Section GJ
File No. 42-14
Serial No. 42

General and Revenue Secretariat

( )

, the *191* .

No. H 2673-4
& 28 Nov/16

Date of issue 28-11-16

To (1) The Comptroller

(2) The Officer-in-Charge of the State Huzur Treasury

Signed by [illegible]

Sir,

I am directed to forward herewith a copy of notification H. 2185/GJ 42-14 & 24·10·16 re the breaking and cutting of light weight and counterfeit silver coins in Mysore, and to state that for all cut coins presented by the State Huzur Treasury Officer ap

over.

[illegible]
13/11

29

at the Hon'ble the Residents'
Treasury in accordance therewith,
the latter will pay one rupee
per tola weight under 585 C.A.C.

I have Etc.

8 - NOV. 1916

~~Asst~~ Secretary

6/11/16

K.R.S
3/11/16

List of enclosures.

Copied by

Examined by

GPB—20,000—14-2-14

(30

ALL COMMUNICATION TO BE ADDRESSED
TO THE MANAGER,
TELEGRAPHIC ADDRESS: "MYSOREBANK."
CODE: A. B. C. 5TH EDITION.

Copied.

The Bank of Mysore, Ltd.,

Bangalore, 29th Nov. 1916

No. G. 7/356

D 193

The Financial Secretary to the Govt. of Mysore,
Bangalore.

Dear Sir,

We beg to acknowledge receipt, with thanks, of your letter of the 28th inst. No.Fl.2675/GF.42-14-11 giving cover to a copy of Government Notification empowering us to cut counterfeit silver coins, and note contents.

Yours faithfully,

Manager.